

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ADJUSTACAM LLC

v.

AMAZON.COM, INC.; ET AL.

NO. 6:10-cv-329-LED

JURY

**ORDER**

CAME BEFORE THE COURT the Plaintiff's Motion to Dismiss its Claims against Sakar and Kohl's and Their Counterclaims Against Plaintiff (the "Motion"). The Motion is hereby GRANTED because Plaintiffs Motion to dismiss combined with its covenant not to sue Sakar International, Inc., Kohl's Illinois, Inc., Kohl's Corporation, Inc. (collectively "Sakar/Kohl's") under the '343 patent divests the Court of subject matter jurisdiction with respect to Plaintiff's claims against NewEgg/Rosewell and Sakar/Kohl's Sakar/Kohl's counterclaims against Plaintiff. *See, e.g., Dow Jones & Co., Inc. v. Abblaise Ltd.*, 606 F.3d 1338, 1348 (Fed.Cir.2010); *Super Sack Mfg. Corp. v. Chase Packaging Corp.*, 57 F.3d 1054, 1058 (Fed. Cir. 1995).

It is therefore ORDERED that Plaintiff's claims against Sakar/Kohl's are hereby DISMISSED with prejudice, and Sakar/Kohl's counterclaims against Plaintiff are hereby DISMISSED without prejudice.